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## EXTRAORDINARY

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## PART II—Section 3

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**MINISTRY OF LABOUR**

## NOTIFICATION

New Delhi, the 10th March 1957

**S.R.O. 770.**—In exercise of the powers conferred by section 33 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following Rules, the same having been previously published as required by sub-section (1) of the said section, namely:—

## PRELIMINARY

1. **Title and application.**—(1) These rules may be called the Industrial Disputes (Central) Rules, 1957.

(2) They extend to Union territories in relation to all industrial disputes, and to the States in relation only to an industrial dispute concerning—

- (a) any industry carried on by or under the authority of the Central Government or by a railway company; or
- (b) a banking or an insurance company, a mine, an oilfield, or a major port, or
- (c) any such controlled industry as may be specified under section 2(a)(i) of the Act by the Central Government;

Provided that they shall not apply to the State of Jammu and Kashmir except to the extent to which they relate to industrial disputes concerning workmen employed under the Government of India.

**2. Interpretation.**—In these rules, unless there is anything repugnant in the subject or context:—

- (a) "Act" means the Industrial Disputes Act, 1947 (14 of 1947);
- (b) "Chairman" means the chairman of a Board or Court or, if the Court consists of one person only, such person;
- (c) "Committee" means a Works Committee constituted under sub-section (1) of section 3 of the Act;
- (d) "form" means a form in the Schedule to these rules;
- (e) "section" means a section of the Act;
- (f) in relation to an industrial dispute in a Union territory, for which the appropriate Government is the Central Government, reference to the Central Government or the Government of India shall be construed as a reference to the Administrator of the territory, and reference to the Chief Labour Commissioner (Central), Regional Labour Commissioner (Central) and the Conciliation Officer (Central) shall be construed as reference to the appropriate authority, appointed in that behalf by the Administrator of the territory;

(g) With reference to clause (g) of section 2 it is hereby prescribed that in relation to an industry carried on by or under the authority of a Department of the Central Government, the officer in charge of the industrial establishment shall be the 'employer' in respect of that establishment.

## PART I

*Procedure for reference of industrial disputes to Boards of Conciliation, Courts of Enquiry, Labour Courts, Industrial Tribunals or National Tribunals*

**3. Application.**—An application under sub-section (2) of section 10 for the reference of an industrial dispute to a Board, Court, Labour Court, Tribunal or National Tribunal shall be made in form A and shall be delivered personally or forwarded by registered post in triplicate to the Secretary to the Government of India in the Ministry of Labour. The application shall be accompanied by a statement setting forth:—

- (a) the parties to the dispute;
- (b) the specific matters in dispute;
- (c) the total number of workmen employed in the undertaking affected;
- (d) an estimate of the number of workmen affected or likely to be affected by the dispute; and
- (e) the efforts made by the parties themselves to adjust the dispute.

**4. Attestation of application.**—The application and the statement accompanying it shall be signed:—

- (a) in the case of an employer by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of the Corporation;
- (b) in the case of workmen, either by the President and Secretary of trade union of the workmen, or by five representatives of the workmen duly authorised in this behalf at a meeting of the workmen held for the purpose.

**5. Notification of appointment of Board, Court, Labour Court, Tribunal or National Tribunal.**—The appointment of a Board, Court, Labour Court, Tribunal or National Tribunal together with the names of persons constituting the Board, Court, Labour Court, Tribunal or National Tribunal shall be notified in the Official Gazette.

**6. Notice to parties to nominate representatives.**—(1) If the Central Government proposes to appoint a Board, it shall send a notice in form B to the parties requiring them to nominate within a reasonable time persons to represent them on the Board.

(2) The notice to the employer shall be sent to the employer personally, or if the employer is an incorporated company or a body corporate, to the agent, manager or other principal officer of such company or body.

(3) The notice to the workmen shall be sent:—

- (a) in the case of workmen who are members of a trade union, to the President or Secretary of the trade union; and
- (b) in the case of workmen who are not members of a trade union, to any one of the five representatives of the workmen who have attested the application made under rule 3; and in this case a copy of the notice shall also be sent to the employer who shall display copies thereof on notice boards in a conspicuous manner at the main entrance to the premises of the establishment.

## PART II

### *Arbitration Agreement*

**7. Arbitration Agreement.**—An arbitration agreement for the reference of an industrial dispute to an arbitrator or arbitrators shall be made in form C and shall be delivered personally or forwarded by registered post in triplicate to the Secretary to the Government of India in the Ministry of Labour, the Chief Labour

Commissioner (Central), New Delhi, and the Regional Labour Commissioner (Central) and the Conciliation Officer (Central) concerned. The agreement shall be accompanied by the consent, in writing, of the arbitrator or arbitrators.

**8. Attestation of the Arbitration Agreement.**—The arbitration agreement shall be signed—

- (a) in the case of an employer, by the employer himself, or when the employer is an incorporated Company or other body corporate, by the agent, manager, or other principal officer of the Corporation;
- (b) in the case of workmen, either by the President and Secretary of a trade union of the workmen or by five representatives of the workmen duly authorised in this behalf at a meeting of the workmen held for the purpose.

### PART III

#### *Powers, Procedure and Duties of Conciliation Officers, Boards, Courts, Labour Courts, Tribunals, National Tribunals and Arbitrators*

**9. Conciliation proceedings in public utility service.**—The Conciliation Officer, on receipt of a notice of a strike or lockout given under rule 71 or rule 72, shall forthwith arrange to interview both the employer and the workmen concerned with the dispute at such places and at such times as he may deem fit and shall endeavour to bring about a settlement of the dispute in question.

**10. Conciliation proceedings in non-public utility service.**—Where the Conciliation Officer receives any information about an existing or apprehended industrial dispute which does not relate to public utility service and he considers it necessary to intervene in the dispute, he shall give formal intimation in writing to the parties concerned declaring his intention to commence conciliation proceedings with effect from such date as may be specified therein.

11. The Conciliation Officer may hold a meeting of the representatives of both parties jointly or of each party separately.

12. The Conciliation Officer shall conduct the proceedings expeditiously and in such manner as he may deem fit.

**13. Place and time of hearing.**—The sittings of a Board, Court, Labour Court, Tribunal or National Tribunal or of an Arbitrator shall be held at such times and places as the Chairman or the Presiding Officer or the Arbitrator, as the case may be, may fix and the Chairman, Presiding Officer or Arbitrator, as the case may be, shall inform the parties of the same in such manner as he thinks fit.

**14. Quorum for Boards and Courts.**—The quorum necessary to constitute a sitting of a Board or Court shall be as follows:

	Quorum
(i) in the case of a Board—	
where the number of members is 3	2
where the number of members is 5	3
(ii) in the case of a Court—	
where the number of members is not more than 2	1
where the number of members is more than 2 but less than 5	2
where the number of members is 5 or more	3

**15. Evidence.**—A Board, Court, Labour Court, Tribunal or National Tribunal or an arbitrator may accept, admit or call for evidence at any stage of the proceedings before it/him and in such manner as it/he may think fit.

**16. Administration of oath.**—Any member of a Board or Court or presiding officer of a Labour Court, Tribunal or National Tribunal or an arbitrator may administer an oath.

**17. Summons.**—A summons issued by a Board, Court, Labour Court, Tribunal or National Tribunal shall be in form D and may require any person to produce before it any books, papers or other documents and things in the possession of or under the control of such person in any way relating to the matter under investigation or adjudication by the Board, Court, Labour Court, Tribunal

or National Tribunal which the Board, Court, Labour Court, Tribunal or National Tribunal thinks necessary for the purposes of such investigation or adjudication

**18 Service of summons or notice**—Subject to the provisions contained in rule 20, any notice, summons process or order issued by a Board, Court, Labour Court, Tribunal, National Tribunal or an arbitrator, empowered to issue such notice, summons, process or order, may be served either personally or by registered post

**19 Description of parties in certain cases**.—Where in any proceeding before a Board, Court, Labour Court, Tribunal or National Tribunal or an arbitrator, there are numerous persons arrayed on any side, such persons shall be described as follows—

- (1) all such persons as are members of any trade union or association shall be described by the name of such trade union or association and
- (2) all such persons as are not members of any trade union or association shall be described in such manner as the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator, as the case may be may determine

**20 Manner of service in the case of numerous persons as parties to a dispute**.—(1) Where there are numerous persons as parties to any proceeding before a Board, Court, Labour Court, Tribunal or National Tribunal or an arbitrator and such persons are members of any trade union or association, the service of notice on the Secretary, or where there is no Secretary, on the principal officer, of the trade union or association shall be deemed to be service on such persons

(2) Where there are numerous persons as parties to any proceeding before a Board, Court, Labour Court, Tribunal or National Tribunal or an arbitrator and such persons are not members of any trade union or association, the Board Court, Labour Court, Tribunal, National Tribunal or arbitrator, as the case may be, shall, where personal service is not practicable, cause the service of any notice to be made by affixing the same at or near the main entrance of the establishment concerned

(3) A notice served in the manner specified in sub-rule (2) shall also be considered as sufficient in the case of such workmen as cannot be ascertained and found

**21 Procedure at the first sitting**.—At the first sitting of a Board, Court, Labour Court, Tribunal or National Tribunal, the Chairman or the Presiding Officer, as the case may be, shall call upon the parties in such order as he may think fit to state their case

**22 Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed ex parte**.—If without sufficient cause being shown, any party to proceedings before a Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator fails to attend or to be represented, the Board, Court, Labour Court, Tribunal, National Tribunal or Arbitrator may proceed as if the party had duly attended or had been represented

**23 Power of entry and inspection**—A Board, or Court, or any member thereof, or a conciliation officer, a Labour Court, Tribunal or National Tribunal, or any person authorised in writing by the Board, Court, Labour Court, Tribunal or National Tribunal in this behalf may, for the purposes of any conciliation, investigation, enquiry or adjudication entrusted to the conciliation officer, Board, Court, Labour Court, Tribunal or National Tribunal under the Act, at anytime between the hours of sunrise and sunset and in the case of a person authorised in writing by a Board, Court, Labour Court, Tribunal or National Tribunal after he has given reasonable notice, enter any building, factory, workshop, or other place or premises whatsoever and inspect the same or any work machinery, appliance or article therein or interrogate any person therein in respect of anything situated therein or any matter relevant to the subject-matter of the conciliation, investigation, enquiry or adjudication

**24 Power of Boards, Courts, Labour Courts, Tribunals and National Tribunals**.—In addition to the powers conferred by the Act, Boards, Courts, Labour

Courts, Tribunals and National Tribunals shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely:—

- (a) discovery and inspection;
- (b) granting adjournment;
- (c) reception of evidence taken on affidavit;

and the Board, Court, Labour Court, Tribunal, or National Tribunal may summon and examine any person whose evidence appears to it to be material and shall be deemed to be a civil court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1898.

**25. Assessors.**—Where assessors are appointed to advise a Tribunal or National Tribunal under sub-section (4) of section 7A or sub-section (4) of section 7B or by the Court, Labour Court, Tribunal or National Tribunal under sub-section (5) of section 11, the Court, Labour Court, Tribunal or National Tribunal, as the case may be, shall, in relation to proceeding before it, obtain the advice of such assessors, but such advice shall not be binding on it.

**26. Fees for copies of awards or other documents of Labour Court, Tribunal or National Tribunal.**—(1) Fees for making a copy of an award or an order of a Labour Court, Tribunal or National Tribunal or any document filed in any proceedings before a Labour Court, Tribunal or National Tribunal be charged as follows:

- (a) for the first 200 words or less, 12 annas;
- (b) for every additional 100 words or fraction thereof, 6 annas;

Provided that where an award or order or document exceeds five pages, the approximate number of words per page shall be taken as the basis for calculating the total number of words, to the nearest hundred, for the purpose of assessing the copying fee.

(2) For certifying a copy of any such award or order or document, a fee of Re. 1 shall be payable.

(3) Copying and certifying fees shall be payable in cash in advance.

(4) Where a party applies for immediate delivery of a copy of any such award or order or document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.

**27. Decision by majority.**—All questions arising for decision at any meeting of a Board or Court, save where the Court consists of one person, shall be decided by a majority of the votes of the members thereof (including the Chairman) present at the meeting. In the event of an equality of votes the Chairman shall also have a casting vote.

**28. Correction of errors.**—The Labour Court, Tribunal, National Tribunal or arbitrator may correct any clerical mistake or error arising from an accidental slip or omission in any award it/he issues.

**29. Right of representatives.**—The representatives of the parties appearing before a Board, Court, Labour Court, Tribunal or National Tribunal or an arbitrator shall have the right of examination, cross-examination and of addressing the Board, Court, Labour Court, Tribunal or National Tribunal or arbitrator when an evidence has been called.

**30. Proceedings before a Board, Court, Labour Court, Tribunal or National Tribunal.**—The proceedings before a Board, Court, Labour Court, Tribunal or National Tribunal shall be held in public:

Provided that the Board, Court, Labour Court, Tribunal or National Tribunal may at any stage direct that any witness shall be examined or its proceedings shall be held *in camera*.

## PART IV

*Remuneration of Chairmen and Members of Courts, Presiding Officers of Labour Courts, Tribunals and National Tribunals, Assessors, and Witnesses*

**31. Travelling allowance.**—The Chairman or a member of a Board or Court, or the Presiding Officer or an Assessor of a Labour Court, Tribunal or National Tribunal, if a non-official, shall be entitled to draw travelling allowance and halting allowance, for any journey performed by him in connection with the performance of his duties, at the rates admissible and subject to the conditions applicable to a Government servant of the first grade under the Supplementary Rules issued by the Central Government from time to time.

**32. Fees.**—The Chairman and a member of a Board or Court, the Presiding Officer and an Assessor of a Labour Court, Tribunal or National Tribunal wherever he is not a salaried officer of Government may be granted such fees as may be sanctioned by the Central Government in each case.

**33. Expenses of witnesses.**—Every person who is summoned and duly attends or otherwise appears as a witness before a Board, Court, Labour Court, Tribunal or National Tribunal or an Arbitrator shall be entitled to an allowance for expenses according to the scale for the time being in force with respect to witnesses in civil courts in the State where the investigation, enquiry, adjudication or arbitration is being conducted.

## PART V

*Notice of Change*

**34. Notice of Change.**—Any employer intending to effect any change in the conditions of service applicable to any workmen in respect of any matter specified in the Fourth Schedule shall give notice of such intention in form E.

**35. Manner of service of notice of change.**—(1) Where there are numerous workmen affected by a notice of change and the majority of such workmen are members of any trade union, the service of notice, by registered post, on the secretary, or where there is no secretary, on the principal officer of the trade union shall be deemed to be service on all such workmen. The employer shall, at the same time, arrange to exhibit the notice by affixing it to a notice board in the manner specified in sub-rule (2).

Provided that if the secretary or the principal officer refuses to receive the notice or that for any other reason the notice cannot be served on the secretary or the principal officer in the ordinary way, the exhibition of the notice in the manner specified in sub-rule (2) shall be deemed to be service on all such workmen.

(2) Where there are numerous workmen affected by a notice of change and the majority of such workmen are not members of any trade union or association the employer shall, where personnel service is not practicable, cause the service of any such notice to be made by affixing the same to a notice board at or near the entrance or entrances of the establishment concerned and the notice shall remain so affixed for period of twenty-one days. The notice shall be in English, the regional language and the language understood by the majority of the workmen in the establishment concerned.

(3) A copy of the notice shall simultaneously be forwarded by the employer to the Conciliation Officer (Central) and the Regional Labour Commissioner (Central), concerned.

## PART VI

*Representation of Parties*

**36. Form of authority under section 36.**—The authority in favour of a person of persons to represent a workman or group of workmen or an employer in any proceeding under the Act shall be in Form F.

**37. Parties bound by acts of representative.**—A party appearing by a representative shall be bound by the acts of that representative.

## PART VII

## Works Committee

**38. Constitution.**—Any employer to whom an order made under sub-section (1) of section 3 relates shall forthwith proceed to constitute a Works Committee in the manner prescribed in this part.

**39. Number of members.**—The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and classes of workmen engaged in, and to the sections, shops or departments of the establishment:

Provided that the total number of members shall not exceed twenty:

Provided further that the number of representatives of the workmen shall not be less than the number of representatives of the employer.

**40. Representatives of employer.**—Subject to the provisions of these rules, the representatives of the employer shall be nominated by the employer and shall as far as possible, be officials in direct touch with or associated with the working of the establishment.

**41. Consultation with trade unions.**—(1) Where any workmen of an establishment are members of a registered trade union, the employer shall ask the union to inform him in writing—

- how many of the workmen are members of the union; and
- how their membership is distributed among the sections, shops or departments of the establishment.

(2) Where an employer has reason to believe that the information furnished to him under sub-rule (1) by any trade union is false, he may, after informing the union, refer the matter to the Conciliation Officer (Central) concerned for his decision; and the Conciliation officer, after hearing the parties shall decide the matter and his decision shall be final.

**42. Groups of workmen's representatives.**—On receipt of the information called for under rule 41, the employer shall provide for the election of workmen's representatives on the Committee in two groups—

- those to be elected by the workmen of the establishment who are members of the registered trade union or unions, and
- those to be elected by the workmen of the establishment who are not members of the registered trade union or unions,

bearing the same proportion to each other as the union members in the establishment bear to the non-members:

Provided that where more than half the workmen are members of the union or any one of the unions, no such division shall be made:

Provided further that where a registered trade union neglects or fails to furnish the information called for under sub-rule (1) of rule 41 within one month of the date of the notice requiring it to furnish such information such union shall for the purpose of this rule be treated as if it did not exist.

Provided further that where any reference has been made by the employer under sub-rule (2) of rule 41, the election shall be held on receipt of the decision of the Conciliation Officer.

**43. Electoral constituencies**—Where under rule 42 the workmen's representatives are to be elected in two groups, the workmen entitled to vote shall be divided into two electoral constituencies, the one consisting of those who are members of a registered trade union and the other of those who are not:

Provided that the employer may, if he thinks fit subdivide the two electoral constituencies and direct that workmen shall vote in either by groups, sections, shops or departments.

**44. Qualification of candidates for election.**—Any workman of not less than 19 years of age and with a service of not less than one year in the establishment may if nominated as provided in these rules be a candidate for election as a representative of the workmen on the Committee:

Provided that the service qualification shall not apply to the first election in an establishment which has been in existence for less than a year.

**45. Qualifications for voters.**—All workmen, other than casual employees, who are not less than 18 years of age and who have put in not less than 6 months' service in the establishment shall be entitled to vote in the election of the representative of workmen.

**46. Procedure for election.**—(1) The employer shall fix a date as the closing date for receiving nominations from candidates for election as workmen's representatives on the Committee.

(2) For holding the election, the employer shall also fix a date which shall not be earlier than three days and later than ten days after the closing date for receiving nominations.

(3) The dates so fixed shall be notified at least seven days in advance to the workmen and the registered trade union or unions concerned. Such notice shall be affixed on the notice board or given adequate publicity amongst the workmen. The notice shall specify the number of seats to be elected by the groups, sections, shops or departments and the number to be elected by the members of the registered trade union or unions and by the non-members.

(4) A copy of such notice shall be sent to the registered trade union or unions concerned.

**47. Nomination of candidates for election.**—(1) Every nomination shall be made on a nomination paper in form 'G' copies of which shall be supplied by the employer to the workmen requiring them.

(2) Each nomination paper shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department the candidate seeking election will represent, and shall be delivered to the employer.

**48. Scrutiny of nomination papers.**—(1) On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinised by the employer in the presence of the candidates and the attesting persons and those which are not valid shall be rejected.

(2) For the purpose of sub-rule (1), a nomination paper shall be held to be not valid if (a) the candidate nominated is ineligible for membership under rule 44 or (b) the requirements of rule 47 have not been complied with.

Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorised nominee for the purpose.

**49. Voting in election.**—(1) If the number of candidates who have been validly nominated is equal to the number of seats, the candidates shall be forthwith declared duly elected.

(2) If in any constituency the number of candidates is more than the number of seats allotted to it, voting shall take place on the day fixed for election.

(3) The election shall be held in such manner as may be convenient for each electoral constituency.

(4) The voting shall be conducted by the employer, and if any of the candidates belong to a union such of them as the union may nominate shall be associated with the election.

(5) Every workman entitled to vote at an electoral constituency shall have as many votes as there are seats to be filled in the constituency.

Provided that each voter shall be entitled to cast only one vote in favour of any one candidate.

**50. Arrangements for election.**—The employer shall be responsible for all arrangements in connection with the election.

**51. Officers of the Committee.**—(1) The Committee shall have among its office bearers a Chairman, a Vice-Chairman, a Secretary and a Joint Secretary. The Secretary and the Joint Secretary shall be elected every year.

(2) The Committee shall elect the Chairman and the Vice-Chairman provided that where the Chairman is elected from amongst the representatives of the employers the Vice-Chairman shall be elected from amongst the representatives of workmen and vice versa.

Provided further that the post of the Chairman or the Vice-Chairman, as the case may be, shall not be held by a representative of the employer or the workmen, for two consecutive terms.

(3) The Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the workmen and vice versa:

Provided further that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the employer or the workmen, for two consecutive years.

**52. Term of office.**—(1) The term of office of a workmen's representative on the Committee other than a member chosen to fill a casual vacancy shall be two years.

(2) A member chosen to fill a casual vacancy shall hold office for the unexpired term of his predecessor.

(3) A member who, without obtaining leave from the Committee, fails to attend three consecutive meetings of the Committee shall forfeit his membership.

**53. Vacancies.**—In the event of workmen's representative ceasing to be a member under sub-rule (3) of rule 52 or ceasing to be employed in the establishment or in the event of his resignation, death or otherwise, his successor shall be elected in accordance with the provisions of this Part from the same group, section, shop or department to which the member vacating the seat belonged.

**54. Power to co-opt.**—The Committee shall have the right to co-opt in a consultative capacity persons employed in the establishment having particular or special knowledge of a matter under discussion. Such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Committee.

**55. Meetings.**—(1) The Committee may meet as often as necessary but not less often than once in three months (a quarter).

(2) The Committee shall at its first meeting regulate its own procedure.

**56. Facilities for meeting, etc.**—The employer shall provide accommodation for holding meetings of the Committee. He shall also provide all necessary facilities to the Committee and to the members thereof for carrying out the work of the Committee. The Committee shall ordinarily meet during working hours of the establishment concerned on any working day and the representative of the workmen shall be deemed to be on duty while attending the meeting.

**57. Dissolution of Works Committee.**—The Central Government, or where the power under section 3 has been delegated to any officer or authority under section 39, such officer or authority may, after making such inquiry as it or he may deem fit, dissolve any Works Committee at any time, by an order in writing, if he or it is satisfied that the Committee has not been constituted in accordance with these rules or that not less than two-thirds of the number of representatives of the workmen have, without any reasonable justification failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

Provided that where a Works Committee is dissolved under this rule, the employer may, and if so required by the Central Government or, as the case may be, by such officer or authority shall, take steps to re-constitute the Committee in accordance with these rules.

## PART VIII

### Miscellaneous

**58. Memorandum of settlement.**—(1) A settlement arrived at in the course of conciliation proceedings or otherwise, shall be in form 'H'.

(2) The settlement shall be signed by—

- (a) in the case of an employer, by the employer himself, or by his authorised agent, or when the employer is an incorporated Company or other body corporate, by the agent, manager or other principal officer of the corporation;
- (b) in the case of workmen, either by the President and Secretary of a trade union of workmen, or by five representatives of the workmen duly authorised in this behalf at a meeting of the workmen held for the purpose.

(3) Where a settlement is arrived at in the course of conciliation proceeding, the conciliation officer shall send a report thereof to the Central Government together with a copy of the memorandum of settlement signed by the parties to the dispute

(4) Where a settlement is arrived at between an employer and his workmen otherwise than in the course of conciliation proceeding before a Board or a Conciliation Officer, the parties to the settlement shall jointly send a copy thereof to the Central Government, the Chief Labour Commissioner (Central) New Delhi, and the Regional Labour Commissioner (Central) and to the Conciliation Officer (Central) concerned

**59 Complaints regarding change of conditions of service etc.**—(1) Every complaint under section 33-A of the Act shall be presented in triplicate in Form T and shall be accompanied by as many copies of the complaint as there are opposite parties to the complaint

(2) Every complaint under sub-rule (1) shall be verified at the foot by the workmen making it or by some other person proved to the satisfaction of the Labour Court, Tribunal or National Tribunal to be acquainted with the facts of the case.

(3) The person verifying shall specify, by references to the numbered paragraphs of the complaint, what he verifies of his own knowledge and what he verifies upon information received and believed to be true

(4) The verification shall be signed by the person making it and shall state the date on which and the place at which it was signed

**60 Application under Section 33.**—(1) An employer intending to obtain the express permission in writing of the conciliation officer, Board, Labour Court, Tribunal or National Tribunal as the case may be, under sub section (1) or sub-section (3) of section 33 shall present an application in Form J in triplicate to such conciliation officer, Board, Labour Court, Tribunal or National Tribunal and shall file along with the application as many copies thereof as there are opposite parties

(2) An employer seeking the approval of the conciliation officer, Board, Labour Court, Tribunal or National Tribunal, as the case may be, of any action taken by him under clause (a) or clause (b) of sub-section (2) of section 33 shall present an application in Form K in triplicate to such conciliation officer, Board, Labour Court, Tribunal or National Tribunal and shall file along with the application as many copies thereof as there are opposite parties

(3) Every application under sub-rule (1) or sub-rule (2) shall be verified at the foot by the employer making it or by some other person proved to the satisfaction of the conciliation officer, Board, Labour Court, Tribunal or National Tribunal to be acquainted with the facts of the case

(4) The person verifying shall specify by reference to the numbered paragraphs of the application, what he verifies of his own knowledge and what he verifies upon information received and believed to be true

(5) The verification shall be signed by the person making it and shall state the date on which and the place at which it was verified

**61 Protected workmen.**—(1) Every registered trade union connected with an industrial establishment, to which the Act applies, shall communicate to the employer before the 30th September every year, the names and addresses of such of the officers of the union who are employed in that establishment and who, in the opinion of the union, should be recognised as "protected workmen". Any change in the incumbency of any such officer shall be communicated to the employer by the union within fifteen days of such change

(2) The employer shall, subject to section 33, sub-section (4), recognise such workmen to be "protected workmen" for the purposes of sub-section (3) of the said section and communicate to the union, in writing, within fifteen days of the receipt of the names and addresses under sub rule (1), the list of workmen recognised as protected workmen

(3) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workmen, admissible for the establishment, under section 33, sub-section (4), the employer shall recognise as protected workmen only such maximum number of workmen:

Provided that, where there is more than one registered trade union in the establishment, the maximum number shall be so distributed by the employer among the unions that the numbers of recognised protected workmen in individual unions bear roughly the same proportion to one another as the membership figures of the unions. The employer shall in that case intimate in writing to the President or the Secretary of the union the number of protected workmen allotted to it:

Provided further that where the number of protected workmen allotted to a union under this sub-rule, falls short of the number of officers of the union seeking protection, the union shall be entitled to select the officers to be recognised as protected workmen. Such selection shall be made by the union and communicated to the employer within five days of the receipt of the employer's letter.

(4) When a dispute arises between an employer and any registered trade union in any matter connected with the recognition of 'protected workmen' under this rule, the dispute shall be referred to the conciliation officer (central) concerned, whose decision thereon shall be final.

**62. Application for recovery of dues.**—An application under section 33C shall be delivered personally or forwarded by registered post in triplicate to the Secretary to the Government of India in the Ministry of Labour.

**63. Appointment of Commissioner.**—Where it is necessary to appoint a Commissioner under sub-section (3) of section 33C of the Act, the Labour Court may appoint a person with experience in the particular industry, trade or business involved in the industrial dispute or a person with experience as a judge of a civil court, or as a stipendiary magistrate or as a Registrar or Secretary of a Labour Court, or Tribunal constituted under any Provincial Act or State Act or of a Labour Court, Tribunal or National Tribunal constituted under the Act or of the Labour Appellate Tribunal constituted under the Industrial Disputes (Appellate Tribunal) Act, 1950.

**64. Fees for the Commissioner, etc.**—(1) The Labour Court shall, after consultation with the parties, estimate the probable duration of the enquiry and fix the amount of the Commissioner's fees and other incidental expenses and direct the payment thereof, into the nearest treasury, within a specified time, by such party or parties and in such proportion as it may consider fit. The Commission shall not issue until satisfactory evidence of the deposit into the treasury of the sum fixed is filed before the Labour Court:

Provided that the Labour Court may from time to time direct that any further sum or sums be deposited into the treasury within such time and by such parties as it may consider fit:

Provided further that the Labour Court may in its discretion, extend the time for depositing the sum into the treasury.

(2) The Labour Court may, at any time, for reasons to be recorded in writing, vary the amount of the Commissioner's fees in consultation with the parties.

(3) The Labour Court may direct that the fees shall be disbursed to the Commissioner in such instalments and on such dates as it may consider fit.

(4) The undisbursed balance, if any, of the sum deposited shall be refunded to the party or parties who deposited the sum in the same proportion as that in which it was deposited.

**65. Time for submission of report.**—(1) Every order for the issue of a Commission shall appoint a date, allowing sufficient time, for the Commissioner to submit his report.

(2) If for any reason the Commissioner anticipates that the date fixed for the submission of his report is likely to be exceeded, he shall apply, before the expiry of the said date, for extension of time setting forth grounds thereof and the Labour Court shall take such grounds into consideration in passing orders on the application:

Provided that the Labour Court may grant extension of time notwithstanding that no application for such extension has been received from the Commissioner within the prescribed time limit.

**66. Local Investigation.**—In any industrial dispute in which the Labour Court deems a local investigation to be requisite or proper for the purpose of computing the money value of a benefit, the Labour Court may issue a Commission to a person referred to in rule 63 directing him to make such investigation and to report thereon to it.

**67. Commissioner's report.**—The Commissioner after such local inspection as he deems necessary and after reducing to writing the evidence taken by him, shall return such evidence together with his report in writing signed by him to the Labour Court.

(2) The report of the Commissioner and the evidence taken by him (but not the evidence without the report) shall be evidence in the industrial dispute and shall form part of the record of the proceedings in the industrial dispute; but the Labour Court or, with the permission of the Labour Court, any of the parties to the industrial dispute may examine the Commissioner personally before the Labour Court regarding any of the matters referred to him or mentioned in his report or as to his report, or as to the manner in which he has made the investigation.

(3) Where the Labour Court is for any reason dissatisfied with the proceedings of the Commissioner it may direct such further enquiry to be made as it shall think fit.

**68. Powers of Commissioner.**—Any Commissioner appointed under these rules may, unless otherwise directed by the order of appointment—

- (a) examine the parties themselves and any witnesses whom they or any of them may produce, and any other person whom the Commissioner thinks proper to call upon to give evidence in the matter referred to him;
- (b) call for and examine documents and other things relevant to the subject of enquiry;
- (c) at any reasonable time enter upon or into any premises mentioned in the order.

**69. Summoning of witnesses etc.**—(1) The provisions of the Code of Civil Procedure, 1908 (Act V of 1908) relating to the summoning, attendance, examination of witnesses and penalties to be imposed upon witnesses, shall apply to persons required to give evidence or to produce documents before the Commissioner under these Rules.

(2) Every person who is summoned and appears as a witness before the Commissioner shall be entitled to payment by the Labour Court out of the sum deposited under rule 64, of an allowance for expenses incurred by him in accordance with the scale for the time being in force for payment of such allowance to witnesses appearing in the civil courts.

**70. Representation of parties before the Commissioner.**—The parties to the industrial dispute shall appear before the Commissioner, either in person or by any other person who is competent to represent them in the proceedings before the Labour Court.

**71. Notice of strike.**—The notice of strike to be given by workmen in a public utility service shall be in Form L.

(2) On receipt of a notice of a strike under sub-rule (1), the employer shall forthwith intimate the fact to the Conciliation Officer having jurisdiction in the matter.

**72. Notice of lock-out.**—The notice of lock-out to be given by an employer carrying on a public utility service shall be in Form M.

**73. Report of Lock-out or strike.**—The notice of lock-out or strike in a public utility service to be submitted by the employer under sub-section (3) of section 22, shall be in Form N.

**74. Report of notice of strike or lock-out.**—The report of notice of a strike or lock-out to be submitted by the employer under sub-section (6) of section 22 shall be sent by registered post or given personally to the Conciliation Officer (Central) appointed for the local area concerned, with copy by registered post to—

- (1) The Administrative Department of the Government of India concerned,
- (2) The Regional Labour Commissioner (Central) for the Zone,
- (3) Chief Labour Commissioner (Central),

- (4) Ministry of Labour of the Government of India,
- (5) Labour Department of the State Government concerned, and
- (6) The District Magistrate concerned.

**75. Register of settlements.**—The Conciliation Officer (Central) shall file all settlements effected under this Act in respect of disputes in the area within his jurisdiction in a register maintained for the purpose as in Form O.

**76. Notice of retrenchment.**—If any employer desires to retrench any workman employed in his industrial establishment who has been in continuous service for not less than one year under him (hereinafter referred to as 'workman' in this rule and in rules 77 and 78), he shall give notice of such retrenchment as in form P to the Central Government and such notice shall be served on that Government by registered post in the following manner:—

- (a) Where notice is given to the workman notice of retrenchment shall be sent within three days from the date on which notice is given to the workman;
- (b) Where no notice is given to the workman and he is paid one month's wages in lieu thereof, notice of retrenchment shall be sent within three days from the date on which such wages are paid; and
- (c) Where retrenchment is carried out under an agreement which specifies a date for the termination of service, notice of retrenchment shall be sent so as to reach the Central Government at least one month before such date:

Provided that if the date of termination of service agreed upon is within 30 days of the agreement, the notice of retrenchment shall be sent to Government within 3 days of the agreement.

**77. Maintenance of seniority list of workmen.**—The employer shall prepare a list of all workmen in the particular category from which retrenchment is contemplated arranged according to the seniority of their service in that category and cause a copy thereof to be posted on a notice board in a conspicuous place in the premises of the industrial establishment at least seven days before the actual date of retrenchment.

**78. Re-employment of retrenched workmen.**—(1) At least ten days before the date on which vacancies are to be filled, the employer shall arrange for the display on a notice board in a conspicuous place in the premises of the industrial establishment details of those vacancies and shall also give intimation of those vacancies by registered post to every one of all the retrenched workmen eligible to be considered therefor, to the address given by him at the time of retrenchment or at any time thereafter:

Provided that where the number of such vacancies is less than the number of retrenched workmen, it shall be sufficient if intimation is given by the employer individually to the seniormost retrenched workmen in the list referred to in rule 77 the number of such seniormost workmen being double the number of such vacancies:

Provided further that where the vacancy is of a duration of less than one month there shall be no obligation on the employer to send intimation of such vacancy to individual retrenched workmen.

(2) Immediately after complying with the provisions of sub-rule (1), the employer shall also inform the trade unions connected with the industrial establishment, of the number of vacancies to be filled and names of the retrenched workmen to whom intimation has been sent under that sub-rule:

Provided that the provisions of this sub-rule need not be complied with by the employer in any case where intimation is sent to every one of the workmen mentioned in the list prepared under rule 77.

**79. Penalties.**—Any breach of these rules shall be punishable with fine not exceeding fifty rupees.

**80. Repeal.**—The Industrial Disputes (Central) Rules, 1947, are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

## SCHEDULE

## FORM A

(See Rule 3)

Form of application for the reference of an industrial dispute to a Board of Conciliation under section 10(2) of the

Court of Enquiry

Labour Court

Tribunal

National Tribunal

Industrial Disputes Act, 1947.

Whereas an industrial dispute is apprehended between

exists

and

and it is ex-

pedient that the matters specified in the enclosed statement which are connected  
the dispute investigation and settlement

with or relevant to the dispute should be referred for enquiry by a Board of Conciliation an application is hereby made under sub-section (2) of section 10 of adjudication a Court of Enquiry

a Labour Court

a Tribunal

a National Tribunal

of the Industrial Disputes Act, 1947. that the said matters should be referred to said dispute

a Board of Conciliation.

a Court of Enquiry.

a Labour Court.

a Tribunal.

a National Tribunal.

This application is made by the undersigned who have been duly authorised  
has  
to do so by virtue of a resolution (copy enclosed) adopted by a majority of the members present at a meeting of the.....held on the.....19....

A statement giving the particulars required under rule 3 of the Industrial Disputes (Central) Rules, 1957, is attached. Dated the ..... Signature of the Applicant(s).

To

The Secretary to the Government of India,  
Ministry of Labour.

Statement required under rule 3 of the Industrial Disputes (Central) Rules, 1957, to accompany the form of application prescribed under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947:—

- (a) Parties to the dispute including the name and address of the establishment or undertaking involved.
- (b) Specific matters in dispute.
- (c) Total number of workmen employed in the undertaking affected.
- (d) Estimated number of workmen affected or likely to be affected by the dispute.
- (e) Efforts made by the parties themselves to adjust the dispute.

## FORM B

(See Rule 6)

Whereas an industrial dispute has arisen between..... and.....  
is apprehended

and it is expedient to refer the said dispute under section 10 of the Industrial Disputes Act, 1947 to a Board of Conciliation for the purpose of investigating the same and for promoting a settlement thereof, you are hereby required to intimate to the undersigned not later than the ..... the name(s) and address(es) of one (two) person(s) whom you wish to recommend for appointment as your representative(s) on the said Board.

If you fail to make the recommendation by the date specified above, the Central Government will select and appoint such person(s) as it thinks fit to represent you.

Secretary to the Government of India,  
Ministry of Labour.

## FORM C

(See Rule 7)

## AGREEMENT

[Under section 10A of the Industrial Disputes Act 1947]

Between

## Names of Parties

Representing employers:

Representing workmen:

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of .....

[Here specify the name(s) and address(es) of the arbitrator(s):

- (i) Specific matters in dispute.
- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.
- (iii) Name of the Union, if any, representing the workmen in question.
- (iv) Total number of workmen employed in the undertaking affected.
- (v) Estimated number of workmen affected or likely to be affected by the dispute.

\*We further agree that the majority decision of the arbitrators shall be binding on us.

## Witnesses

(1)

(2)

## Signature of the Parties.

Representing employers.  
Representing workmen.

## Copy to:

- (i) The Conciliation Officer (Central), (here enter office address of the Conciliation Officer in local area concerned).
- (ii) The Regional Labour Commissioner (Central),.....
- (iii) The Chief Labour Commissioner (Central), New Delhi.
- (iv) The Secretary to the Government of India, Ministry of Labour, New Delhi.

\*Where applicable.

## FORM D

(See rule 17)

Whereas an industrial dispute between ..... and ..... has been referred to this Board of Conciliation for investigation and settlement  
Court of Enquiry for investigation

Labour Court/Tribunal/National Tribunal for adjudication.

under section 10 of the industrial Disputes Act, 1947, you are hereby summoned to appear before the Board/Court/Labour Court/Tribunal/National Tribunal in person on the ..... day of ..... at ..... o'clock in the ..... noon to answer all material questions relating to the said dispute and you are directed to produce on that day all the books, papers and other documents and things in your possession or under your control in any way relating to the matter under investigation by this Board/Court/Labour Court/Tribunal/National Tribunal.

Dated.....

Chairman/Secretary, Board of Conciliation  
Court of Enquiry  
 Presiding Officer/Secretary, Labour Court  
Tribunal  
National Tribunal

## FORM E

(See rule 34)

*Notice of Change to be given by an Employer*

Name of employer ..... Address ..... Dated the ..... day of ..... 19

To

The Secretary/Principal Officer of the Union Association.

The workman/workmen affected.

Dear Sir/Madam,

In accordance with section 9A of the Industrial Disputes Act, 1947, I/we beg to inform you that it is my/our intention to effect the change/changes specified in the annexure to this letter, with effect from.....

Yours faithfully,

Signature.....

Name.....

Designation.....

*Annexure*

(Here specify the change/changes intended to be effected).

## FORM F

(See rule 36)

Before ..... (here mention the authority concerned)

Reference No. ..... of ..... Workmen  
 versus

Employer.

In the matter of ..... I/we hereby authorise Shri/  
 Sarvashree ..... to represent me/us in the above matter.

Dated this ..... day of ..... 19

Signature of person(s) nominating the representative(s).  
 Address.

Accepted.

Signature of representative(s).

Address.

## FORM G

(See rule 47)

## Form of Nomination Paper

Name of Industrial Establishment	Group/Section/Shop/Department
----------------------------------	-------------------------------

I nominate (here enter the name of the workmen's representative eligible for election).

as a candidate for election to the Works Committee. He is eligible as a voter in the constituency for which he is nominated.

Date..... Signature of proposer.

I agree to the proposed nomination.

Date..... Signature of candidate.

Attested by: (1)

(To be signed by any two voters belonging to the electoral constituency)

(2)

## FORM H

(See Rule 58)

## Form for Memorandum of Settlement

## Names of Parties—

Representing employer(s):

Representing workmen:

## Short recital of the case

## Terms of settlement

## Witnesses:

Signature of the parties .....

(1) .....

.....

(2) .....

\*Signature of Conciliation Officer  
Board of Conciliation

Copy of: †(1) Conciliation Officer (Central)

(Here enter the office address of the Conciliation Officer in the local area concerned.)

(2) Regional Labour Commissioner (Central) .....

(3) Chief Labour Commissioner (Central), New Delhi .....

(4) The Secretary to the Government of India, Ministry of Labour, New Delhi.

\*In cases of settlements effected by Conciliation Officer  
Board of Conciliation.

†In cases where settlements are arrived at between the employer and his workmen otherwise than in the course of conciliation proceeding.

## FORM I

(See Rule 59)

Before the Labour Court ..... Complaint under  
Tribunal .....

National Tribunal .....  
Section 33A of the Industrial Disputes Act, 1947.

A..... Complainant(s)  
Address:—

Versus

B..... Opposite Party(ies)  
Address:—

In the matter of Reference No. ....

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of Section 33 of the Industrial Disputes Act, 1947 (14 of 1947) as shown below:—

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the Management is challenged).

The complainant(s) accordingly prays/pray that the

Labour Court

may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

Tribunal

National Tribunal

The number of copies of the complaint and its annexures required under Rule 59 of the Industrial Disputes (Central) Rules, 1957, are submitted herewith.

Signature of the Complainant(s).

Dated this ..... day of ..... 195.

Verification

I do solemnly declare that what is stated in paragraphs ..... above is true to my knowledge and that what is stated in paragraphs ..... above is stated upon information received and believed by me to be true. This verification is signed by me at on ..... day of ..... 19.

Signature/or Thumb  
impression of the person verifying.

## FORM J

[See Rule 60(1)]

Before (here mention the Conciliation Officer, Board, Labour Court, Tribunal or National Tribunal).

Application for permission under sub-section (1) of section 33 of the Industrial sub-section (3) of

Disputes Act, 1947 (14 of 1947), in the matter of Reference No. ....

A..... Applicant.

Address:—

Versus

B..... Opposite Party(ies).

Address(es):—

The above mentioned applicant begs to state as follows:—

[Here mention the action specified in clause (a) or clause(b) of sub-section (1) grounds on which the permission is sought for].

The applicant therefore prays that express permission may kindly be granted to him to take the following action, namely:—

[Here mention the action specified in clause (a) or clause (b) of sub-section (1) sub-section (3) of section 33.]

Signature of the applicant.

Dated this ..... day of ..... 195.

Space for verification.

(Signature of the person verifying).

Date (on which the verification was signed).....

Place (at which the verification was signed).....

## FORM K

[See Rule 60(2)]

Before (here mention the conciliation officer, Board, Labour Court, Tribunal or National Tribunal).

Application under sub-section (2) of section 33 of the Industrial Disputes Act 1947 (14 of 1947) in the matter of Reference No. ....

A.....Applicant.

Address:—

*Versus*

B..... Opposite Party(ies).

Address(es):—

The above mentioned applicant begs to state as follows:—

(Here set out the relevant facts and circumstances of the case.)

\*The workman/workmen discharged/dismissed under clause (b) of sub-section (2) of section 33 has/have been paid wages for one month.

The applicant prays that the conciliation officer/Board/Labour Court/Tribunal/National Tribunal may be pleased to approve of the action taken, namely:—

[Here mention the action taken under clause (a) or clause (b) of sub-section (2) of section 33].

Signature of the Applicant.

Dated this ..... day of ..... 195 ..

Space for verification.

(Signature of the person verifying).

Date (on which the verification was signed) .....

Place (at which the verification was signed) .....

.....  
\*Delete, if not applicable.

## FORM L

(See Rule 71)

*Form of notices of strike to be given by employee(s) in a public utility service*

Name of Union

Names of elected representatives of employees where no trade union exists.

Address

Dated the ..... day of ..... 19 ..

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 22 of the Industrial Disputes Act, 1947 I We hereby give you notice that I propose to call a strike we propose to go on strike on ..... 19 ..

for the reasons explained in the annex.

Yours faithfully,

Secretary of the Union

Representative of the employees elected at a meeting held on

## ANNEXE

Statement of the Case.

Copy to: (1) Conciliation Officer (Central)

(Here enter office address of the Conciliation Officer in the local area concerned)

(2) Regional Labour Commissioner (Central) ..... Zone.

(3) Chief Labour Commissioner (Central), New Delhi.

## FORM M

(See Rule 72)

*Form of notice of lock-out to be given by an employer carrying on a public utility service*

Name of employer ..... Address .....

.....

Dated the ..... day of ..... 19 ..

To

(The Secretary of the Union, if any).

Dear Sir,

In accordance with the provisions of sub-section (2) of section 22 of the Industrial Disputes Act, 1947, I/we hereby inform you that it is my/our intention to effect a lock-out with effect from ..... for the reasons explained in the annexe.

Yours faithfully.

---

\*Here insert the position which the person who signs the letter holds with the employer issuing this letter.

## ANNEXE

Statement of the case.

Copy to (1) Conciliation Officer (Central).

(Here enter office address of the conciliation officer in the local area concerned.)

(2) Regional Labour Commissioner (Central) ..... Zone.

(3) Chief Labour Commissioner (Central), New Delhi.

## FORM N

(See Rule 73)

*Form of Report of Strike or Lock-out in a public utility service*

Information to be supplied in this form immediately on the occurrence of a strike or lock-out in a public utility service to the Conciliation Office (Central) for the local area concerned

Name of under-taking	Station and District	Normal strength	Number of Workers involved	Strike or lock-out	Date of commencement of strike or lock-out	Cause	Was notice of strike or lock-out given : if so, on what date and for what period	Is there any permanent agency or agreement in the undertaking for the settlement of disputes between the employer and workmen? If any exist, particulars thereof	Any other information	
1	2	3	4	5	6	7	8	9	10	11

Note:— Column (3). Give the average number of workmen employed during the month previous to the day on which the strike or lock-out occurred. While reckoning the average, omit the days on which the attendance was not normal for reasons other than individual reasons of particular workmen. Thus days on which strike or lock-out occurs or communal holiday is enjoyed by a large section of workers should be omitted.

Column (4). If say, 200 workers in a factory strike work and in consequence the whole factory employing 1,000 workers has to be closed then, 200 should be shown under "directly" and the remaining under "indirectly". If the strike of 200 workers does not affect the working of the other departments of the factory, the number of workers involved would only be 200, which figure should appear under 'directly' and column "indirectly" would be blank.

Column (8). Give the main causes of the dispute as well as the immediate cause that led to the strike or lock-out.

## FORM O

(See Rule 75)

Register—Part I

Serial No.	Industry	Parties to the settlement	Date of settlement	Remarks*

---

\*Whether the settlement was effected at the intervention of the conciliation machinery, or by mutual negotiations between the parties, may be indicated here.

---

*Part II*

(Should contain one copy each of the settlements in the serial order indicated in Part I.

## FORM P

(See Rule 76)

Form of notice of retrenchment to be given by an employer under clause (c) of section 25F of the Industrial Disputes Act, 1947.

Name of employer..... Address.....

Dated the ..... day of ..... 195 .

To

The Secretary to the Government of India,  
Ministry of Labour, New Delhi.

Sir,  
Under clause (c) of section 25F of the Industrial Disputes Act, 1947 (14 of 1947), I/we hereby inform you that I/we have decided to retrench \* workmen with effect from \*\* for the reasons explained in the annex.

2.† The workmen concerned were given on the \*\* 195 one month's notice in writing as required under clause (a) of section 25F of that Act./ Retrenchment is being effected in pursuance of an agreement, a copy of which is enclosed./ The workmen were given on the \*\* 195 one month's pay in lieu of notice, as required under clause (a) of section 25F of that Act.

3. The total number of workmen employed in the Industrial establishment is \*\*\* and the total number of those who will be affected by the retrenchment is given below:—

Category of designation of workmen to be retrenched (1)	Number of workmen	
	Employed (2)	To be retrenched (3)

4. I/We hereby declare that the workman/workmen concerned has/have been/ will be paid compensation due to them under section 25F of the Act on \*\* the expiry of the notice period.

Yours faithfully,

\*Here insert the number of workmen.

\*\*Here insert the date

†Delete the portion which is not applicable.

\*\*\*Here insert the total number of workmen employed in the industrial establishment.

††Here insert the position which the person who signs this letter holds with the employer issuing the letter.

## ANNEXE

## Statement of reasons

Copy to (1) Conciliation Officer (Central) Here enter office address of the Conciliation Officer in local area concerned).  
(2) Regional Labour Commissioner (Central),

..... Zone.

[No. L.R.1(34)/56.]

A. L. HANNA, Under Secy.

